

11-23-05

Docket 17656CON1 (OCU)

JFW

UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: WONG et al

Examiner: Casey S. Hagopian

Serial Number: 10/671,816

Art Unit: 1615

Filed: September 25, 2003

For: IMPLANTS AND METHODS FOR  
TREATING INFLAMMATION-  
MEDIATED CONDITIONS OF THE  
EYE

Irvine, California

TRANSMITTAL LETTER

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Please find enclosed with regard to the above-identified pending U.S. patent application: (1) a two page Response to Notice of Non-Compliant Amendment; (2) an 18 page response to the July 11, 2005 Office Action in the above-identified patent application; (3) this two page Transmittal Letter, and; (3) a return postcard.

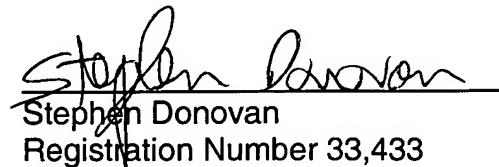
CLAIMS AS FILED

CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
Total Claims	21	47	= 0 x	= \$0.00
Independent Claims	2	6	= 0 x	= \$0.00
If application has been amended to contain multiple dependent claim(s), then add		0		= \$0.00
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>				<b>\$0.00</b>



The Commissioner is hereby authorized to charge any fees required or necessary for the filing, processing or entering of this paper or any of the enclosed papers, and to credit any overpayment, to deposit account 01-0885.

Respectfully submitted,

  
Stephen Donovan  
Registration Number 33,433

Date: November 16, 2005

Address all inquiries and correspondence to:

Stephen Donovan  
Allergan, Inc., Legal Department  
2525 Dupont Drive  
Irvine, CA 92612  
Telephone: 714 246 4026  
Fax: 714 246 4249

CERTIFICATE OF EXPRESS MAIL UNDER 37 C.F.R. § 1.10

I hereby certify that this Transmittal Letter, Response to Notice of Non-Compliant Amendment, Response to Office Action and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date November 21, 2005 in an envelope as "Express Mail Post Office to Addressee" Mailing Label number EV 616125322 US addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Adriane Giberson  
Name of person mailing paper  


Date: November 21, 2005

Signature of person signing paper

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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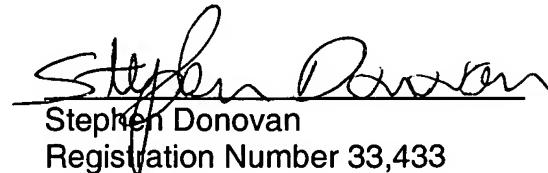
**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In response to the Notice of Non-Compliant Amendment (the "Notice") dated November 3, 2005 in this application, Applicants hereby resubmit the Response to Office Action mailed October 12, 2005, now with replacement pages 15-18, which include status identifiers, as requested by the Notice. The Clean Version of the claims now indicates the proper status identifiers, and all pending claims in this application are represented.

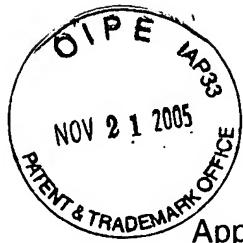
Examination and allowance of claims 35, 37-39, 42-47, 51-52, 55-56 and 61-67 is respectfully requested.

Respectfully submitted,



Stephen Donovan  
Registration Number 33,433

Date: November 17, 2005

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: WONG et al

Examiner: Casey S. Hagopian

Serial Number: 10/671,816

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**RESPONSE TO OFFICE ACTION**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
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**This response to office action amends claims 35, 39, 52, 55-56, 61, and 64-66 and cancels claims 36, 40-41, 48-50, 53-54, 57-60 and 68-81. See pages 10-15 of this Response.**

**REMARKS****I. The Office Action**

The July 11, 2005 final office action (the "Office Action") in this application:

1. rejected claims 35-81 under 35 U.S.C. 103(a) as being unpatentable over Wong (U.S. patent 5,869,079), and;
  
- 2 rejected claims 48-50 and 68-70 under 35 U.S.C. 103(a) as being unpatentable over Wong (U.S. patent 5,869,079) in view of Guo (U.S. patent 6,217,895B1).

Applicants responds to the Office Action as follows.